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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

SAN JOSE DIVISION

E-FILED - 3/8/07

UNITED STATES OF AMERICA,)	No. CR 07-00013 RMW
)	
Plaintiff,)	STIPULATION TO CONTINUE
)	HEARING AND EXCLUDE TIME;
v.)	[] ORDER
)	
ANTONIO RODRIGUEZ-REYES,)	
)	
Defendant.)	
)	

Defendant and the government, through their respective counsel, hereby stipulate that, subject to the court's approval, the hearing in the above-captioned matter, presently scheduled for Monday, March 12, 2007, should be continued to March 26, 2007. The continuance is requested because this matter has been reassigned within the Federal Public Defender's Office, and undersigned defense counsel will require additional time to complete investigation. Further, undersigned counsel will be out of the country on a pre-planned vacation on March 12.

The parties further agree that time should be excluded under the Speedy Trial Act from March 12, 2007, to March 26, 2007, because the defense and the government require time for investigation and preparation, and the ends of justice outweigh the defendant's and the public's need for a speedy trial.

1 Dated: 2/21/07

/s/
LARA S. VINNARD
Assistant Federal Public Defender

3 Dated: 2/21/07

/s/
ERIC ROSEN
Assistant United States Attorney

6 **ORDER**

7 The parties have jointly requested a continuance of the hearing set for March 12, 2007, on
8 grounds that investigation by the defense is ongoing, and defense counsel will be out of the
9 country on March 12.

10 GOOD CAUSE APPEARING, IT IS HEREBY ORDERED that the hearing date
11 presently set for March 12, 2007, be continued to March 26, 2007, at 9:00 a.m.

12 Pursuant to the parties' stipulation, IT IS FURTHER ORDERED that the period of time
13 from March 12, 2007, to March 26, 2007, shall be excluded from the period of time within which
14 trial must commence under the Speedy Trial Act, 18 U.S.C. § 3161 et seq.

15
16 Dated: 3/8/07


RONALD M. WHYTE
United States District Judge